

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11	MARK ROBERT QUIROZ,	)	No. C 11-0016 LHK (PR)
12	Plaintiff,	)	ORDER DENYING MOTION
13	v.	)	FOR APPOINTMENT OF
14	MATTHEW CATE, et al.,	)	COUNSEL
15	Defendants.	)	(Docket No. 177)

---

17 Plaintiff, a state prisoner proceeding *pro se*, filed a third amended civil rights complaint  
18 pursuant to 42 U.S.C. § 1983. On July 16, 2013, the court issued an order of service and  
19 directed defendants to file a dispositive motion or notice that such motion is not warranted within  
20 ninety days. Plaintiff has filed a motion for appointment of counsel, a declaration, and a  
21 memorandum of points and authorities in support of his motion. Defendant Short filed an  
22 opposition to plaintiff's motion, and plaintiff has filed a reply.

23 After reading and considering the pleadings, the court **DENIES** plaintiff's motion for  
24 appointment of counsel as premature and wanting of exceptional circumstances. *See Rand v.*  
25 *Rowland*, 113 F.3d 1520, 1525 (9th Cir. 1997); *see also Lassiter v. Dep't of Social Services*, 452  
26 U.S. 18, 25 (1981) (there is no constitutional right to counsel in a civil case). The issues in this  
27 case are not particularly complex, and plaintiff has thus far been able to adequately present his  
28 claims. This denial is without prejudice to the court's *sua sponte* appointment of counsel at a  
future date should the circumstances of this case warrant such appointment.

1           This order terminates docket number 177.  
2  
3

IT IS SO ORDERED.

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
DATED: 8/19/13

*Lucy H. Koh*  
LUCY H. KOH  
United States District Judge